

The Minutes of a Regular Meeting of the City Council
Austin, Tex., March 5, 1888.

Hon. Joseph Nalle, mayor, presiding

- Roll Roll Call - Present, Aldermen
 Assmann, Boland, Brush,
 DeGress, Fisher, Haigler,
 Jones, Linn, Odell,
 Pillow, Platt, Wilson - 12
- Call Absent, Aldermen Caldwell, Campbell,
 Graham, Metz, Phillips, Schneider,
 Townsend, Wortham - 8.
- Call of Council Alderman Linn moved a Call of the Council
 Adopted.
- Aldermen Aldermen Graham, Phillips, Townsend and
 Schneider came in, and on motion the Call
 was suspended.
- Minutes. The Minutes of the meeting of the City Council
 which was held on February 20, 1888, were
 adopted as printed.
- Ald. Phillips Alderman Phillips was excused.
- Sexton. The City Sexton's report for the month of Feb'y.
 was referred to the Cemetery Committee without
 being read.
- City Eng. The City engineer submitted a report on
 the condition of certain bridges heretofore
 reported by him as needing repairs and
 furnished an estimate of the cost of such
 repairs as follows:
- | | |
|---|----------|
| To repair bridge on East Sixteenth street | \$1,476. |
| " " " " Eleventh | 423. |
| " " " " Sixth | 200. |
| " " " " West Sixth | 2,536. |
- The recommends that the arched Culvert across
 the last named street, between Crockett and West
 Blanco street, be torn down and rebuilt.
- Marshal. The report was referred to the street Committee.
 The report of the city marshal for the month of
 February, 1888, was presented, and referred to the
 Committee on police without being read.
- Clerk. The Clerk's report of warrants issued during
 the month of February, 1888, was presented

and referred to the Committee on Finance and Revenue.

City Phys.

The report of the City Physician for the month of February, 1888, was presented and appropriately referred.

J.W. Howard

A petition from J.W. Howard, for permission to erect a platform with seats arranged thereon, over Tenth street, at its intersection with Congress avenue, on the west side of the dome, for the purpose of accommodating persons who may wish to witness the parade on the occasion of the dedication of the State Capitol in May next.

On motion of Alderman Jones it was referred to the Street Committee, with instructions to report on the same at the next meeting of the Council.

Stiles.

Alderman Fisher, by request, introduced a proposal from E.P. Stiles for Mrs. Maggie Stiles and associates, proposing to organize a Cemetery Company and operate a Cemetery.

The Cemetery shall contain not less than sixty acres of land outside of the corporate limits of the City, ten acres of which shall be donated to the City for the burial of paupers.

The proposition requires of the City to agree neither to establish nor cause to be established any other Cemetery, nor make any other concession, nor accept a similar proposition from any other Company or individual, until such time as it may be necessary to provide for and secure additional grounds for the interment of paupers.

A. P. Haux
Austin Grays

It was referred to the Committee on Cemetery. A petition of A. P. Haux, Captain of the Austin Grays, requesting permission to use the public square immediately north of the Old Court house for drill grounds for his Company was read and granted.

D.D. Kernes

Alderman Boland introduced a petition from D. D. Kernes for permission to open and operate a shooting gallery. Granted.

Al Caldwell

Alderman Caldwell entered and answered to his name.

J.R. Carroll, Alderman Brush presented a petition from J.R. Carroll, requesting that an error in assessment of his property be corrected. Referred to the City Attorney for his opinion as to whether the error can now be corrected.

Treas. The report of the City Treasurer from February 20, to March 5, was presented and read. It shows:

Balance on hand February 20,	\$2,437.46
Receipts	17,206.41
Total	\$19,643.87
Disbursements	\$8,490.95
Balances March 5	11,152.92
Total	\$19,643.87

Referred to Finance Committee.

Ords. (City Att.) The City Attorney submitted a report stating that in obedience to a resolution of the Council, he had prepared for publication the Ordinances of a general character, passed since the adoption of the revised ordinances, and desired to be instructed where to have them published. The report was referred to Committee on Printing with instructions to recommend the number of copies to be printed and the cost of the same, etc., and report at the next meeting of the Council.

Message of Mayor The Mayor then presented the following message which was read to the Council:

Gentlemen of the Board of Aldermen:
 By statement received from the City Clerk, herewith presented in itemized form, and marked "Exhibit A," it will be seen that the aggregate amount of indebtedness against the City at the beginning of the fiscal year commencing December 4, 1881, exclusive of the bonded debt, was \$32,385.43. This amount does not include judgments for \$16,000 rendered against the City and now pending on appeal before the Supreme Court of the State, and set out in detail in the accompanying Exhibit A. Careful estimate places the current expenses of the City government for the present fiscal year as follows:

Mayors Pay Roll	\$ 41,400
Message. Feed for city teams	1,600
Hospital Expenses	3,350
Water rent	12,000
Street lighting	5,523
Appropriations for Fire Companies	3,000
Gas for market house and hospital	600.
Printing newspaper and job	600.
Feeding prisoners	1,200
Rent for fire alarm, June 1 to November 30,	600.
Rent for Mayor's office (10 months)	250
Interest on bonded debt	10,400
Total	\$ 80,523

To meet these expenses we have sources of revenue aggregating approximately \$91,735. The gross amount of the ad valorem tax collectable during the present fiscal year, as shown by the assessment rolls, footed up \$79,752.06. Of this amount \$1,370.36 was collected under the administration of my predecessor, and \$3,547.42 of it expended in paying debts contracted under the government over which he presided, leaving a balance in the hands of the treasurer, as shown by his report to the City Council under date of January 6, 1888, of \$3,489.69, and available for the expenses of the current year from ad valorem sources, provided the entire amount is collected, the sum of \$76,204.54 less \$350 turned over to the treasurer by the assessor and collector on January 6, 1888.

Summarized revenues from all sources may be approximately estimated as follows:

From Ad Valorem	\$ 75,846.24
From licenses (estimated by assessor & collector)	8,000.00
From recorders Court (estimated from receipts of 1887)	5,336.00
From Miscellaneous	500.00
From Travis County account hospital expenses	2,000.00
Total	\$ 91,705.24

It will be seen from these figures that if every dollar of the ad valorem tax is collected we will have, approximately, a surplus of

Mayors
Message. day; \$11,152.24 to the credit of the general revenue fund for street improvements, repair and construction of bridges, and other necessary work that will engage our attention.

I may state here that the revenues may be slightly augmented, provided purchasers can be found for two steam fire engines. I am seeking responsible parties to dispose of them to, and should I succeed, will hasten to lay the matter before the Council for its action.

(Purchases) A matter that should engage the attention of the Council, is the indiscriminate manner in which debts are permitted to be created against the city. The Mayor is unauthorized to purchase for the city a postage stamp without the consent of the Council or the finance Committee; yet Committees - and, for aught I know, without the direction from the Council, individual members thereof make purchases and create debts which this body is called upon to approve and liquidate. I would recommend, as a remedy for this evil, that an ordinance be enacted prohibiting any Committee, or individual member thereof, or officer, from contracting any debt in the name of the city, unless upon the distinct authority of the Council, specially granted; or upon the written order of the mayor.

(Finances) Under the provisions of section one (1), article XVI, of the City Charter, we are inhibited from appropriating any part of the revenues of the present year to the payment of debts contracted previously thereto until the current expenses of the city government, and the appropriations made during the current year, have been paid. I quote so much of the section as bears directly upon this point: Article XVI. Section 1. That the revenues received during each fiscal year shall be applied to the payment of the current expenses of the City government, and the appropriations made during that year; and no debt shall be incurred during any fiscal year, except

Mayors
Message

as otherwise provided in section 3 of this act, or under authority conferred by the legislature".

This, in brief, is the present financial status of the city's affairs, as far as I have been able to summarize it from the official records; and I have deemed it my duty to plainly put the facts before you for your consideration.

We owed at the beginning of the present fiscal year the sum of \$32,385.43.

Our estimated expenses of government for the same period slightly exceed \$80,000. To meet the demands of this debt and these expenses, we have, approximately, a revenue from all sources of \$11,705.24.

(Greenwood Cemetery)

It should be here stated that \$16,138.98 of the \$32,385.43 indebtedness against the city represents outstanding notes (with overdue interest) executed by my predecessor on behalf of the city to J. H. Patterson, in consideration of the conveyance of title to the city of a certain tract of land known as Greenwood Cemetery, or the "Patterson purchase". In his final message to the Council, my predecessor claims that the notes executed for the purchase money of this land are not a charge against the general revenues of the city. If this be true, then we have only to provide for the payment of a debt of \$16,246.45 - left us as a legacy by our immediate predecessors. I believe that with judicious management the city government can be efficiently conducted upon the estimated revenues, and still leave a sufficient surplus to liquidate the greater portion of the debt left us by the last administration, provided we are not called upon to meet the principal and interest of the notes given for the Patterson tract of land and pay the judgments and costs adjudged against the city in favor of Mrs. Ritz and S. C. Emanuel, and now

(Judgments)

Mayors
Message.
(Cemetery)

not exceeding \$140 per acre, on such terms as the mayor may deem for the best interest of the city, on the following terms, to wit: at the sum and price of one hundred and forty dollars per acre, aggregating the sum of sixteen thousand eight hundred dollars (\$16,800), payable as follows: In Cash eight hundred dollars, and eight notes of the City of Austin, payable to the Order of J.H. Patterson, each for the sum of two thousand (\$2000) dollars, and payable respectively on or before June 1, 1887, June 1, 1888, June 1, 1889, June 1, 1890, June 1, 1891, June 1, 1892, June 1, 1893, June 1, 1894, each bearing interest at the rate of eight per cent. per annum, payable annually on the first day of June of each year, he and the same is hereby ratified, approved and confirmed as the Corporate act of the City of Austin."

"Section 4. That the sum of eight hundred dollars be and the same is hereby appropriated out of any money in the city treasury, not otherwise appropriated, to pay Said J.H. Patterson the cash payment in Said Contract of Purchase."

"Section 11. That all money to be received from the sale of lots in said Cemetery shall be and the same are hereby appropriated and set apart for the payment of the balance of the purchase money due on the notes aforesaid until Said notes and interest are fully paid, and after Said debt is paid the remaining proceeds of such sales of lots shall be transferred to the Cemetery fund, to be used exclusively for the improvement and ornamentation of said Cemetery; provided, that any money appropriated from the general fund for the purchase or improvement of said Cemetery may be returned to such general fund out of the proceeds of the sale of lots."

I fail to construe anything above quoted as inhibiting the payment of these notes, principal

Mayors message.
(Bridges)

we will be called upon to necessarily expend in repairing and rebuilding the stone bridges built, at a heavy cost, by the administration last preceding us. The report of the city engineer, herewith submitted, shows that it will require the sum of \$14,635 to repair the four bridges that he has examined, as shown by his report, to say nothing of the numerous other bridges not yet examined, and which may need a like sum for repairs, as well as the amount necessary for the entire rebuilding of the stone arched Culvert across West Sixth Street, west of the three arched bridge.

(Old claims)

It will be my desire, and I shall urge it upon the Council, to redeem as rapidly as possible, without impairment to the efficiency of the public service, every dollar of the outstanding obligations left us for payment by the preceding administration, regardless of their legality or illegality, unless otherwise directed by the competent authority. I should abhor and discountenance any step that smacked of repudiation, believing that the City could better afford to pay a few illegal claims than stand before the public in the attitude of a repudiator of her obligations, solemnly "ratified, approved and confirmed as the corporate act of the City of Austin".

(Create debts)

While on this subject, it may not be amiss for me to suggest to the people of the City the wisdom of seeing, through the legislature, an amendment to their Charter, making it a felony for the Mayor and Board of Aldermen to create debts in excess of the annual revenues. The Charter is plain in its inhibition on this subject, but no penalty attaches, and therefore this provision unfortunately, is more often "honored in the breach than in the observance," and no protection is afforded the people against a reckless and extravagant Council creating any number of debts it may see fit to make. Whilst these debts may

Mayors
Message.

(Felony)

(Cemetery)

be held illegal, if forced to stand the test of legal investigation, the people too often come to look upon them as invested with certain moral obligations, and pay rather than contest them. Therefore, I suggest that an amendment be had to our Charter, making it a felony for the people's agents to exceed the authority plainly delegated to them under the Charter.

The Cemetery question, however, is now the most important and pressing matter before you for consideration. It has reached a point where prompt action of some kind must be taken. The present available space for the burial of the dead, the Sexton assures us, is insufficient, and the duty of providing suitable and sufficient grounds cannot longer be ignored or delayed. I am advised that two and one-half ($2\frac{1}{2}$) acres of land adjoining the present City Cemetery on the north, can be bought for \$1500 cash and 5 per cent. commission, making a total of \$1575. The purchase of this land will give us temporary relief, but the proposition will doubtless meet with vigorous and bitter opposition from citizens living in the immediate vicinity. On the other hand, the demand for increased burial space is imperative, and, from our present condition, I cannot see where temporary relief can be secured in any other quarter or through other means.

In my opinion it is at best but a question of time when the bodies now interred in the present Cemetery will be exhumed and removed to some more commodious and fitting site, and the present narrow, confined territory turned over to the living. To this complexion it will come sooner or later, and our people, only reflecting upon the duty that devolves upon them, should endeavor to select and amicably settle upon some site that would not only meet all present and near future requirements, but furnish ample and commodious grounds for Cemetery

Mayors purposes for a Century to Come, in Order Message. That those now living might properly supervise (Cemetery) the removal of their last loved ones from our present over crowded Cemetery, and know, when they themselves are laid away to rest their final sleep, the disturbing hands of those left behind will not seek to remove their remains from the spot where loving hands had consigned them. When the City Council can find a suitable site for the laying out of a Cemetery of this character, so located as to meet the approval of the people, I would favor the adoption of an ordinance prohibiting further interments in the present Cemetery, and requiring, within a reasonable time, the exhumation of all bodies buried therein and their reinterment in the new Cemetery giving to holders of lots in the present Cemetery an equal number in the new one. Possibly, the measure or proposition would meet with opposition for a time, but as the new "City of the Dead" was improved and beautified, as it would be, that opposition, I feel assured, would soon be dispelled and the work of exhumation and reinterment would be cheerfully undertaken and rapidly carried forward by those in our midst who have relatives or friends laid away in the present grounds. Unclaimed bodies, of course, would be removed at the expense of the city. The Cemetery question is a most embarrassing one for the Council to solve, handed to us by our predecessors as an inheritance, together with outstanding notes and interest for over \$16,000 for a tract of ground that no citizen is willing to adopt as a permanent burial place for the dead of our city. No money was left us in the treasury to meet this maturing paper, but my predecessor, in his final message to the board, claimed that this debt was not to be a burden upon the general revenue, but its payment

Mayors
message.
(Cemetery.)

was to be met from a special fund.
I quote from his message:

"The Ordinance provides that all moneys received from the sale of lots shall be set apart and appropriated to the discharge of the deferred payments, and that such moneys shall be used for no other purpose. It was the clearly expressed intention of the parties who made the contract that no charge should thereby be made, or attempted to be made, upon the general revenue of the city, but that the notes for deferred payments should be made solely from the proceeds of lots sold."

I confess that my interpretation of the reading of the Ordinance does not bear out that

construction. Nowhere in the Ordinance can be found an expressed, or even implied, word or sentence that the transaction differed from any other ordinary purchase or contract.

The resolution instructing the mayor to purchase the land, and the Ordinance which "ratified, approved and affirmed as the corporate act of the City of Austin", the trade between the mayor and vendor, both alike are silent as to any direct or implied intent to distinguish or mark the transaction as different from usual proceedings in similar cases.

In proof of this I herewith submit the following extracts from the Ordinance, the only ones I find bearing upon the subject of meeting the purchase money notes

"Section 2. That the Contract of purchase of said one hundred (1) acres of land made by J.W. Robertson, Mayor of said City of Austin, under and by virtue of a certain resolution of the City Council, passed July 12, 1886, as follows: 'Resolved, that the mayor of the City of Austin be instructed to purchase from J.H. Patterson the one hundred and twenty (120) acres offered by him, at

Mayors
Message.
(Cemetery)

not exceeding \$140 per acre, on such terms as the mayor may deem for the best interest of the city, on the following terms, to wit: at the sum and price of one hundred and forty dollars per acre, aggregating the sum of sixteen thousand eight hundred dollars (\$16,800), payable as follows: In Cash eight hundred dollars, and eight notes of the City of Austin, payable to the Order of J.H. Patterson, each for the sum of two thousand (\$2000) dollars, and payable respectively on or before June 1, 1887, June 1, 1888, June 1, 1889, June 1, 1890, June 1, 1891, June 1, 1892, June 1, 1893, June 1, 1894, each bearing interest at the rate of eight per cent. per annum, payable annually on the first day of June of each year, he and the same is hereby ratified, approved and confirmed as the Corporate act of the City of Austin."

"Section 4. That the sum of eight hundred dollars be and the same is hereby appropriated out of any money in the city treasury, not otherwise appropriated, to pay Said J.H. Patterson the cash payment in Said Contract of Purchase."

"Section 11. That all money to be received from the sale of lots in said Cemetery shall be and the same are hereby appropriated and set apart for the payment of the balance of the purchase money due on the notes aforesaid until Said notes and interest are fully paid, and after Said debt is paid the remaining proceeds of such sales of lots shall be transferred to the Cemetery fund, to be used exclusively for the improvement and ornamentation of said Cemetery; provided, that any money appropriated from the general fund for the purchase or improvement of said Cemetery may be returned to such general fund out of the proceeds of the sale of lots."

I fail to construe anything above quoted as inhibiting the payment of these notes, principal

Mayors
Message.
(Cemetery.)

and interest, out of the general revenue fund. In fact, the first cash payment of \$800 was directly appropriated from that fund, while the authorization in the eleventh section, "that any sum appropriated from the general fund . . . may be returned," carries with it the logical conclusion that, in the event the proceeds of sales of lots were insufficient to meet the notes at maturity and provide for the payment of the interest annually, the deficiency must be made good from the general fund. To my mind, it is clear that, if the contract is legal and binding the city is responsible for the purchase money, which constitutes a debt as much a lien upon the general revenues as any other legally incurred or contracted obligation. It is true, the ordinance provides that the revenues derived from the sale of lots in the cemetery shall be applied solely to the payment of the notes and interest thereon given as the purchase money, but it is nowhere expressed or implied in the instrument that this fund is to be and constitute the sole and only source from whence the means are to come and meet the interest and principal of these notes. The whole transaction on its face, viewed from the reading of the ordinance, clearly implies that it was an ordinary purchase upon the part of the city, the payment for which would come from the general revenue fund when the special fund was insufficient to meet the maturing obligations. To provide that the proceeds from the sales of lots should be set apart as a special fund to aid the city in meeting the obligations as they fell due, implies nothing more than an intent to relieve as far as possible the general revenues from this extraordinary burden. I have not been favored with the notes executed by my predecessor in furtherance of this transaction, but I am credibly informed that there are no provisions or stipulations on their face to bear out

Mayors
Message. my predecessor's Construction. They are,
(Cemetery.) I am informed, plainly worded notes of hand,
Signed by the Mayor on behalf of the City, and
their payment, if it shall be held that the
City is legally responsible for them, must be
provided for out of the general revenue, as
any other legitimate debt against the City. To
me this seems to be the only fair and
legitimate Construction to be placed upon the
Ordinance. They are an obligation of the City,
to be met and paid out of the general revenue,
as any valid debt, unless it would be held by
the Courts that the Mayor and Board of
Aldermen had transcended their authority and
Violated a plain provision of the Charter
of the City, by incurring a debt or expense
"beyond the receipts of the treasury," and therefore
adjudge the entire transaction null and void, and
of no binding force upon the City.

In Conclusion I desire to say that from
the present estimated revenues, I feel safe
to promise an efficient administration of
the City's affairs and the reduction of a large
portion of the debt left us by the preceding
administration, and a return of the trust
placed in my keeping by the people, free from
any incumbrance or debt contracted by or
all claims through my responsibility. But it will
be an impossible task to satisfy the
demands left us by the last administration
in the shape of judgments, outstanding notes,
overdue interest and approved claims,
aggregating over \$48,000, and equal to one-half
the entire revenue of the City, and still
administer the affairs of the government
in a liberal, satisfactory and efficient
manner. For myself I can only promise
my earnest efforts to work out the result
as best as I can, with the emphatic
assurance that so far as I can prevent
it, no debt shall be made by this
administration unless the means are

Mayors
Message. On hand, or can be provided, to meet it
Respectfully,

Joseph Nalle, mayor.

Austin, Texas, March 5, 1888.

(Exhibit A)

Exhibit A.

Amount of debt against the City of Austin
unpaid at the close of the fiscal year
ending December 4, 1887:

[Note - The statement I prepared bore date
of about February 10, 1888, and embraced all debts
which had been filed up to that time - Clerk.]

Nov. 4, 1887, R. L. Lambie	\$ 5.20
Feb. 18, 1887, D. Savers	7.50
July to Jan., 1885-86, Fisher and Bragg	11.00
Aug., Oct. and Nov. 1887, A. L. Leagarden & Co.	17.50
May 28, 1887, A. L. Leagarden & Co.	5.50
July 1, Erie Telegraph and Telephone Co.	25.00
May 25, Claim of Henry McShane & Co. (fire bell)	576.22
Dec. M. D. McFarland	15.95
Sept. and Oct., Protection Hose Co. No. 3	150.00
Sept. and Oct., Austin Hook & Ladder Co. No. 1	150.00
Sept. and Oct., Colorado S. F. C. No. 2	150.00
Sept. and Oct., East Austin Hose No. 4	150.00
Sept. and Oct., Washington S. F. C. Co. No. 1	150.00
March, Geo. F. Pendexter	15.00
Nov., C. L. Nitschke	30.00
Nov. 19, J. W. Robertson	6.75
Oct., J. Cummings	22.85
June, July, Aug. and Sept., Ellis Monroe	30.00
Oct. 1, James P. Hart	109.10
Oct. and Nov., Washington S. F. C. Co.	100.00
July to Dec., Erie Telegraph & Telephone Co.	30.00
July to Nov., Morley Bros.	276.36
May to Dec., Austin Water Light and Power Co.	39.18
June, Aug., and Nov., E. Chalmers	5.00
Nov. 15, L. Nitschke	3.50
March 24, Dr. C. B. Fisher	10.00
No date, T. L. Turnell	10.00
Dec., Joseph A. Nagle	36.65
Dec., M. Maas	6.00
Dec., C. L. Nitschke	22.50
Nov., Walter Tripp	2.00

(Exhibit a) July to Nor, Austin Water, Light & Power Co.	\$ 5,000.00
July to Del, interest on bonded debt	4,333.34
Del, N.S. Walton (Comp. on Suit)	709.00
Colorado Glass Co., for carriage	900.30
March, for topographical Survey	2,378.75
May 24, Note and interest in favor of Frank Hamilton	699.00
July 15, 1886, Eight notes executed to J. H. Patterson	14,540.00
July 15, Interest on seven of same, \$2,000 each at 8 per cent	1,539.58
July 15, interest on one of same, \$540, at 8 per	
Total	\$16,000.00

The following judgments having been rendered against the City are not classified as debts due, appeal having been taken to the Supreme Court, where they are now pending:

S.C. Emanuel vs. City of Austin, Judgment for	\$2,500.00
A.R. Ritz vs. City of Austin, Judgment for	13,500.00
Total	\$16,000.00

Report of City Engineer.

Austin, Texas, March 3, 1888.

Hon. Joseph Nalle, Mayor:

Dear Sir. Pursuant to

instructions I herewith submit a report of the condition of the stone bridges of this city, mentioned in my former report.

Beginning with the stone bridge on East Sixteenth street, formerly known as East Cherry street. This bridge had originally a road bed of 20 feet, and the same has been extended, on either end, to the full width of the street - 60 feet, and it is the embankments of these new additions that have given way, and demand speedy repair. The cost of the same, by a close approximate estimate, will require an expenditure of fourteen hundred and seventy-six (\$1,476) dollars.

The stone bridge on East Eleventh street, formerly called Mesquite, is in a somewhat worse condition than when I last called the attention of the City Council to the same. The southeast wing wall requires rebuilding and extension. This will incur a cost of four hundred and twenty three dollars.

Report of
City Eng.

Mayors
message.
City Engineer
report.

The stone bridge on East Sixth Street, formerly known as Pecan street, has been inspected and I find that the parapet wall is fractured at the Southwest abutment, and with the abutment is leaving the periphery of the arch and should be at once taken down and rebuilt. Its proximity to the fence and sheds of the adjoining property renders inspection difficult. The southeast wing wall needs extension also. I estimate the Cost at two hundred (\$200) dollars. The beautiful three arched bridge on West Sixth, or Pecan, is in decidedly worse condition than it was at the time of my last report upon the same. The protracted spell of wet weather has demonstrated the inferior quality of the mortar used in its construction, and I estimate that it will require two thousand five hundred and thirty-six (\$2,536) dollars to put the same in repair.

The stone arched Culvert across the last named street and west of the three arched bridge, I would recommend that the same be torn down and rebuilt, as it cannot be repaired.

I am P. Matthews,
City Engineer.

Mayors
message.

Alderman Fisher moved that the message be referred to a special Committee of five Aldermen
Adopted:

Alderman DeGress moved that it be published in The Statesman, Dispatch and German paper, provided the two last named papers publish it at the rate charged by The Statesman under its contract with the City. Carried.

S. Platt.

On the recommendation of the mayor the Council remitted the fine and costs assessed in the recorder's Court against Sam Platt.

Petition
Cemetery.

Alderman Odell presented a petition from about nine hundred citizens protesting against the enlargement of the City Cemetery. Alderman Fisher moved that the names be not read.

Alderman Brush moved that the names be read.

The motion made by Alderman Fisher then prevailed. The petition was then read, and, on motion of Alderman DeGress, laid on the table subject to call at any time.

S. A. R. The Committee on streets, alleys, etc., to whom was referred an ordinance granting right of way to Thos. Helm and associates, to build a horse railroad on certain streets in the City of Austin, submitted a favorable report on the same, and, on motion, it was adopted. The ordinance was then read a second time, after which Alderman Linn moved to amend by striking out "ten" and inserting in lieu thereof "five cents" as the maximum fare or charge permitted to be made by the company. Adopted and the ordinance was passed to its third reading by a two-thirds vote of a full board and, on motion passed.

C. F. Newman The Committee on finance and revenue, to whom was referred a petition from C. F. Newman, requesting to be relieved from paying taxes on a note which he claims was erroneously rendered for taxation, reported adversely on the same, in view of the opinion of the city attorney advising that the property was correctly rendered. The opinion was read in connection with the report, and, on motion, the report was adopted.

Cemetery sewer. Alderman Caldwell reported verbally that the south end of the sewer in the City Cemetery is in need of repairs, and that about \$10 would be the cost of the same. Alderman Gillow then moved that the Chairman of the Cemetery Committee be authorized to have the sewer repaired at a cost not to exceed \$10. Adopted.

Sts. in C & F. addition. Alderman Graham introduced an ordinance fixing and defining the streets running east and west in that part of the addition to the City of Austin made by Christian & Fieldman, lying east of Lampasas street south of Orange street.

and west of Waller Creek, according to the map or plat of said addition, as recorded in plat book - page H1. It was read first time and referred to the Street Committee, City Attorney, City Engineer and Street Commissioner.

~~H.S.C. as~~ Alderman Haigler presented a resolution requesting the Mayor to notify the authorities of the Houston and Texas Central Railroad to construct a well, or crib, at or near their round house, in the eastern part of the city into which to run the water from the engines of said road; and, further, that the street Commissioner be instructed to see that the waste water from said engines is not permitted to run into the streets, alleys or gutters of the city. Adopted.
Alderman DeGress moved that the Mayor be added to the special Committee to locate electric lights. Adopted.

Hides. Alderman Boland introduced an Ordinance prohibiting persons from curing and poisoning hides, and providing a penalty therefor.
The Ordinance makes it a misdemeanor to cure green or poison dry hides, within the limits of the city, and is to take effect July 1, 1888. It was referred to the Committee on Sanitation and Sewerage.

Salaries of Mayor Nalle introduced an Ordinance amending item 16 of Section 1, of an Ordinance entitled an Ordinance fixing the Compensation of the officers and employes of the city from the date of their qualification, passed January 6, 1888.

The purpose of the Ordinance is to reduce the salaries of the drivers and chasers in the fire department from \$600 to \$480 per annum, or ten dollars per month.

Alderman Brush moved to lay the Ordinance on the table; Motion lost. Yeas- Aldermen Brush, Fisher, Graham, Jones, Linn, Schneider, Townsend.
Nays- Aldermen Assmann, Boland, Caldwell, DeGress, Haigler, Odell, Pillow, Platt, Wilson, &c.
It was then referred to the Committee on fire department.

accts.

Alderman DeGress introduced an Ordinance Appropriating the sum of \$ 1,657.83 for the purpose of paying approved accounts.

It was read first time, and placed on its second and third readings and passed by the following vote. Yeas - Aldermen Assmann, Boland, Brush, Caldwell, DeGress, Fisher, Graham, Haigler, Jones, Linn, Odell, Pillow, Platt, Schneider, Townsend, Wilson - 16.

Printing:

Alderman Fisher moved that the Mayor be authorized to enter into Contract with Hutchings Printing House according to the report of the Committee on Printings.

Alderman DeGress moved to postpone the matter until the next meeting of the Council. Carried. The Mayor announced the special Committee to whom was referred his message as follows:

Aldermen Fisher, Wilson, DeGress, Haigler and Boland.

The Council then adjourned.

Milton Morris,
City Clerk.